

1 **STIP**

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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 * * *

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 vs.
15 JERMAINE SMITH,
16 Defendant.

17 APG
18 CASE NO.: 2:12-cr-00004-MMD-GWF

19 **STIPULATION TO CONTINUE
20 SENTENCING**

21 IT IS HEREBY STIPULATED AND AGREED, by and between JERMAINE SMITH, by
22 and through JONATHAN POWELL, ESQ., counsel for the Defendant, and the UNITED STATES
23 OF AMERICA, by and through KIMBERLY FRAYN, Assistant United States Attorney, that the
24 February 26, 2015,
25 sentencing, currently scheduled for ~~February 18, 2015~~, be moved for 30 days, or to a time
26 convenient to this Honorable Court. If this Honorable Court is able to accommodate, the parties
27 are jointly requesting a time after March 15, 2015 but before April 12, 2015 due to scheduling
28 issues.

29 This stipulation is entered into for the following reasons:

30 1. Defendant and counsel need additional time to prepare for sentencing and to gather
31 information.

32 2. Counsel for the Government does not object to Defendant's request for a continuance.

33 3. Defendant has no objection to a continuance of this matter. Defendant is in custody.

1 4. Denial of this request for continuance would result in a miscarriage of justice.

2 5. This request for a continuance is made in good faith and is not intended to delay the

3 proceedings in this matter.

4 6. For all the above-stated reasons, the ends of justice would be best served by a

5 continuance of the sentencing date.

6

7

8 DATED this 17th day of February, 2015.

9

10 _____
11 /s/ Jonathan Powell
12 JONATHAN POWELL, ESQ.
13 Counsel for Defendant Smith

14 _____
15 /s/ Kimberly Frayn
16 KIMBERLY FRAYN
17 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JERMAINE SMITH,
Defendant.

CASE NO.: 2:12-cr-00004-MMD -GWF

ORDER GRANTING PRE-TRIAL RELEASE

FINDINGS OF FACT

1. Defendant and counsel need additional time to prepare for sentencing and to gather information.
2. Counsel for the Government does not object to Defendant's request for a continuance.
3. Defendant has no objection to a continuance of this matter. Defendant is in custody.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would result in a miscarriage of justice.
2. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
3. For all the above-stated reasons, the ends of justice would be best served by a continuance of the sentencing date.|

IT IS HEREBY ORDERED: Sentencing and disposition is continued to April 9, 2015 at 9:00 a.m., Courtroom 6C.

UNITED STATES DISTRICT JUDGE

DATED: February 17, 2015